(1)

SINGLE BENCH (5)

101 -

IN THE HIGH COURT OF JUDICATURE AT BILASPUR (C.G.)

WRIT PETITION NO. 3866 OF 2006

PETITIONER: Smt. Kiranlata Damle,
W/o Dr. S.K. Damle,
Aged about 44 years,
Presently working as Assistant Professor (Zoology) and NCC Officer,
Government Digvijay College,
Rajnandgaon,
District-Rajnandgaon (C.G.)

P.R. No. 3934/06
Presented by Shri Akhilesh Pethia
dated 25/11/06

Versus

RESPONDENTS:

1. State of Chhattisgarh,
Through its Secretary,
Department of Higher Education,
Mantralaya, D.K.S. Bhawan,
Raipur (C.G.)

2. Commissioner,
Higher Education,
Mantralaya, D.K.S. Bhawan,
Raipur (C.G.)

3. Principal,
Government Digvijay College,
Rajnandgaon,
District-Rajnandgaon (C.G.)

RECEIVED-COPY
25/11/06
CLERK to A. G. BILASPUR

WRIT PETITION UNDER ARTICLE 226/227 OF THE CONSTITUTION OF INDIA FOR ISSUANCE OF WRIT IN THE NATURE OF MANDAMUS, CERTIORARI, PROHIBITION AND FOR OTHER SUITABLE WRIT OR WRITS, ORDER OR ORDERS, DIRECTION OR DIRECTIONS.

XI-HC-78

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

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मामला क्रमांक WPNO...3866 **सन्** 200 6

आदेश पत्रक (पूर्वानुबद्ध)

आदेश का दिनांक तथा आदेश क्रमांक	हस्ताक्षर सहित आदेश	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश

7.8.2006:-

Shri Ashish Shrivastava, counsel for the petitioner.

Smt. Anju Ahuja, Deputy Govt. Advocate for the State/respondents, on advance copy.

Heard both the counsel.

By the instant petition, the petitioner has challenged her transfer order Annexure-P/2 whereby the petitioner has been transferred from Government Digvijay College, Rajnandgaon to Government College, Kurud, District Dhamtari.

The main ground of challenge is that apart from the Assistant Professor, she is also working as NCC Officer and as per the Government Circular Annexure-P/1 dated 18-2-86, 12-2-98, 10-5-2000, the transfer of NCC officers cannot be made without seeking prior approval of the Deputy Director General, NCC.

Learned counsel for the petitioner submitted that the transfer has been made in violation of the above Government orders, as such, the petitioner may be allowed to make a representation to the respondent No.1 and he be directed to decide the same, to which learned counsel for the respondents has no objection.

Having heard learned counsel for the parties, having regard to the facts and circumstances of the case and without expressing any opinion on the merit of the case, the prayer made by learned counsel for the petitioner is just, fair and reasonable. Therefore, the petitioner is allowed to make a detailed representation along with a copy of this petition to the respondent No.1 raising all her grievances within a period of 10 days from today and in turn, respondent No.1 shall decide the representation of the petitioner within a period of 30 days from the date of receipt of the

P.T.O.

XI-HC-78

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

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मामला क्रमांक ...W.P.3866/06... **सन् 200**

आदेश पत्रक (पूर्वानुबद्ध)

आदेश का दिनांक तथा आदेश क्रमांक	हस्ताक्षर सहित आदेश -2-	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश
Barve	representation, after considering all the points raised by the petitioner, in accordance with law. In the meantime, the effect and operation of the impugned order in respect of the petitioner shall remain stayed, till the representation of the petitioner is decided. With the direction aforesaid, the petition stands disposed of. Consequently, M.(W.)P. No.3021/2006 and I.A. No.7348/2006 also stand disposed of. Parties are entitled for certified copy of this order. Sd/- L.C. Bhadoo Judge	

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